United Nations CEDAW/C/COG/CO/7

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the seventh periodic report of the Congo*

1. The Committee considered the seventh periodic report of the Congo (CEDAW/C/COG/7) at its 1633rd and 1634th meetings (see CEDAW/C/SR.1633 and CEDAW/C/SR.1634), held on 24 October 2018. The Committee's list of issues and questions is contained in CEDAW/C/COG/Q/7 and the responses of the State party are contained in CEDAW/C/COG/Q/7/Add.1.

A. Introduction

2. The Committee appreciates the submission by the State party of its seventh periodic report and its written replies to the list of issues and questions raised by the pre-sessional working group, as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister for the Advancement of Women and the Integration of Women in Development, Inès Nefer Bertille Ingani, and included other representatives of the Ministry for the Advancement of Women and the Integration of Women in Development and representatives of the Ministry of Justice and Human Rights, the Office of the Prime Minister, the Ministry of Public Service, State Reform, Labour and Social Security, the Ministry of Primary and Secondary Education and Literacy and the Permanent Mission of the Congo to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2012 of the State party's sixth periodic report (CEDAW/C/COG/CO/6) in undertaking legislative reforms, in particular the adoption of the following:

(a) Act No. 21-2018 of 13 June 2018 establishing the rules of land occupation and acquisition;

* Adopted by the Committee at its seventy-first session (22 October–9 November 2018).

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(b) Act No. 40-2014 of 1 September 2014 amending and supplementing certain provisions of the Electoral Act.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the following:

(a) National action plan for the implementation of Security Council resolution 1325 (2000), on 8 May 2018;

(b) National programme to promote women's leadership in political and public life, 2017–2021, on 21 October 2016;

(c) Action plan to strengthen protection of the rights of women living with HIV, 2017–2021, on 8 December 2016;

(d) Establishment of the Women's Advisory Council in articles 232 and 233 of the Constitution of 6 November 2015;

(e) Article 17 of the Constitution of 6 November 2015, which states that women have the same rights as men and that the law guarantees parity and ensures the promotion and representation of women in all political, elected and administrative roles.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international and regional instruments:

(a) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in 2017;

(b) Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, in 2014;

(c) African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, in 2014.

Sustainable Development Goals

7. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.

C. Parliament

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see A/65/38, part two, annex VI). It invites Parliament, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

D. Factors and difficulties preventing the effective implementation of the Convention

9. The Committee notes that the State party's efforts to implement its obligations under the Convention have been significantly affected by the conflict in Pool Department. The conflict has affected an estimated 180,000 people and displaced around 130,000 people from their homes. The Committee also notes the fall in the price of crude oil three years ago, which has resulted in financial instability, and the reduction in government spending. However, it is concerned that discrimination against women, in particular gender stereotypes, is deeply entrenched in the State party, in traditional attitudes, institutional practices and society as a whole, depriving women of the equal enjoyment of their rights and contributing to high levels of violence against women and girls.

E. Principal areas of concern and recommendations

Legislative framework

10. The Committee is concerned about the extremely slow pace at which the adoption of the eight revised codes, in particular the Civil Code, the Personal and Family Code and the Penal Code, is progressing. The codes, some of which date back to the colonial era, continue to seriously hamper the implementation of the Convention and women's full enjoyment of their rights in the State party. The Committee is concerned that, although the State party has received the support of the European Union and the drafts were submitted to the Ministry of Justice two years ago, they have still not been sent to Parliament and that extensive consultations on them will still be needed. The Committee takes note of the delegation's assurances that the revised codes will be adopted before the end of 2018, but regrets the absence of a set, concrete and credible time frame for their adoption.

11. **In line with its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, the Committee recommends that the State party accord priority to its law reform process and set a clear time frame to finalize and adopt the eight draft revised codes, in particular the Civil Code, the Personal and Family Code and the Penal Code, with a view to ensuring women's rights.**

Definition of discrimination against women

12. The Committee takes note of article 17 of the Constitution of 6 November 2015, which guarantees women equal rights to men. It is concerned, however, about the absence of a definition of discrimination encompassing all forms of discrimination against women in all areas of life.

13. **Reiterating its previous recommendation (see CEDAW/C/COG/CO/6, para. 14), the Committee recommends that the State party adopt a comprehensive definition of discrimination against women in line with article 1 of the Convention that covers all prohibited grounds of discrimination, including direct and indirect discrimination in the public and private spheres, and intersecting forms of discrimination.**

Access to justice and traditional justice systems

14. The Committee takes note of the awareness-raising campaigns undertaken by the State party regarding the primacy of statutory law over customary law. The Committee also takes note of measures taken to improve the infrastructure of court

premises, to recruit more judges, to eliminate corruption, to eliminate hidden fees and to make mobile courts available in remote geographical locations. The Committee remains seriously concerned, however, about the following:

(a) The continued and exclusive resort to traditional courts in many areas, often resulting in discriminatory decisions against women and girls;

(b) The low awareness among women and girls in the State party of their rights under the Convention;

(c) The fact that women's access to justice is impeded by geographical and economic factors;

(d) The absence of a free legal aid scheme;

(e) Widespread corruption and the lack of judicial independence.

15. **With reference to its general recommendation No. 33 (2015) on women's access to justice, the Committee recalls the State party's obligation to ensure that women's rights are protected against violations by all components of plural justice systems. It recommends that the State party:**

(a) **Continue to develop the court system, with the aim of establishing a court of major jurisdiction in every region, and initiate a reform process of the judiciary aimed at establishing a single unified legal system throughout its territory that complies with the provisions of the Convention;**

(b) **Enhance awareness among women and girls of their rights and how to claim them, including by strengthening cooperation with civil society organizations;**

(c) **Enhance the geographical reach of the judiciary, including by increasing the human, technical and financial resources dedicated to mobile justice units, and remove all direct and indirect fees impeding women's access to justice;**

(d) **Review Act No. 001/84 of 20 January 1984 on the reorganization of legal aid and ensure that women without sufficient means have access to free legal aid so that they may claim their rights;**

(e) **Investigate and prosecute cases of corruption of justice personnel and punish the perpetrators adequately, and ensure the independence of the judiciary.**

National machinery for the advancement of women

16. The Committee welcomes the establishment of the Women's Advisory Council, which issues opinions on matters relating to the status of women and makes suggestions to the Government aimed at promoting the integration of women into development efforts. It is concerned, however, about the delay in the implementation of the second-generation national gender policy and its action plan for implementation, 2017–2021. The Committee is also concerned that the Ministry for the Advancement of Women and the Integration of Women in Development has serious budgetary constraints, that the Gender Observatory is not functional and that gender policies are not coordinated between relevant stakeholders.

17. **The Committee recommends that the State party:**

(a) **Expedite the implementation of the second-generation national gender policy and its action plan for implementation, 2017–2021;**

(b) **Allocate sufficient financial, technical and human resources to ensure the adequate functioning of the Ministry for the Advancement of Women and the Integration of Women in Development and ensure that the Gender Observatory is functional. The State party should also ensure that policies and actions related to gender policies are coordinated between all relevant stakeholders.**

National human rights institution

18. The Committee takes note of the draft law amending and supplementing certain provisions of Act No. 5-2003 of 18 January 2003 on the responsibilities, organization and functioning of the National Human Rights Commission. It remains concerned, however, that notwithstanding the State party's commitment during the previous review to bring the Commission into compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), there is no indication that such measures are being taken. The Committee is particularly concerned about the low representation of women in the Commission, the process of selection and appointment of its members, its independence and its lack of financial resources.

19. **The Committee recommends that the State party strengthen the independence, effectiveness and visibility of the national human rights institution, in line with the Paris Principles, and provide it with sufficient human and financial resources.**

Civil society organizations and women human rights defenders

20. The Committee welcomes the dialogue forum established between members of civil society organizations and representatives of the Government of the State party. It is concerned, however, about information it has received indicating that women human rights defenders, in particular those working on issues relating to allocation of land, extraction of natural resources and the fight against corruption, are often subjected to intimidation, harassment and threats. The Committee is also concerned that the legislative framework, including the Constitution and the Law on Associations of 1901, does not provide sufficient legal protection for women human rights defenders.

21. **The Committee calls upon the State party:**

(a) **To adopt and implement, without delay, effective measures, including legislation, to protect women human rights defenders;**

(b) **To effectively investigate all cases of intimidation, harassment and threats against women human rights defenders, prosecute and adequately punish the perpetrators and provide effective remedies to victims;**

(c) **To enable women human rights defenders to participate freely in public affairs, including on issues related to managing and monitoring natural resources.**

Temporary special measures

22. The Committee notes with concern the continuing underrepresentation of women in all spheres of public and private life and the lack of understanding by government officials in the State party of the nature, scope and necessity of temporary special measures aimed at accelerating substantive equality between women and men.

23. **In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party set time-bound targets and allocate sufficient**

resources for the implementation of temporary special measures, such as quotas and other proactive measures, accompanied by sanctions for non-compliance, with a view to achieving substantive equality between women and men in all areas covered by the Convention in which women are underrepresented or disadvantaged.

Stereotypes and harmful practices

24. The Committee welcomes the steps taken by the State party to eliminate discriminatory stereotypes and harmful practices against women and girls, including through awareness-raising activities and the removal of discriminatory gender stereotypes in textbooks. The Committee remains concerned, however, that:

(a) Harmful practices and discriminatory gender stereotypes continue to persist at all levels of society in all regions of the State party such that 27 per cent of women in the State party are married before the age of 18;

(b) Female genital mutilation is widespread, in particular among certain minority religious groups, and there is no law prohibiting the practice;

(c) Polygamy and the payment of a bride price continue to be practised widely and such practices are not prohibited by law.

25. **Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, and in line with target 5.3 of the Sustainable Development Goals to eliminate all harmful practices, the Committee recommends that the State party:**

(a) **Adopt and implement comprehensive measures to modify and transform discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and at all levels of society and eliminate discriminatory gender stereotyping;**

(b) **Adopt legislation prohibiting and adequately punishing perpetrators of harmful practices, such as forced and child marriage and female genital mutilation;**

(c) **Conduct regular awareness-raising campaigns targeting the general public, in particular community and religious leaders, about the criminal nature of harmful practices and their adverse effect on women's rights;**

(d) **Provide systematic training for judges, prosecutors, legal professionals, law enforcement officials and medical personnel on the strict application of criminal law provisions to punish child and forced marriage, female genital mutilation and widow inheritance;**

(e) **Take specific measures, including legislative and policy measures, to eliminate polygamy and the payment of a bride price.**

Gender-based violence against women

26. The Committee welcomes the establishment of a hotline to enable victims and/or witnesses of acts of gender-based violence to contact the police anonymously. The Committee also welcomes the State party's joint project with the United Nations to compile data on gender-based violence and the steps taken to build the capacity of the police. The Committee is concerned, however, about the pervasiveness of gender-based violence against women and girls, including domestic violence, in the State party. It is particularly concerned about the following:

(a) The absence of reliable data on gender-based violence and cases of sexual harassment, both in school and at work, in the State party that are disaggregated by age and relationship of the victim with the offender;

(b) The delay in adopting the bill on gender-based violence and the draft strategy to combat gender-based violence;

(c) The low number of prosecutions, the lenient sentences imposed on perpetrators and the failure to provide redress to women and girls who are victims of gender-based violence;

(d) The insufficiency of resources allocated for the prevention of gender-based violence against women and girls, and the lack of adequate shelters;

(e) The absence of criminalization of marital rape.

27. **The Committee recommends that the State party:**

(a) **Continue to develop and strengthen the efforts of the National Statistical Institute to ensure an effective national system for the collection of data, disaggregated by age and relationship of the victim with the offender, on gender-based violence and cases of sexual harassment, both in school and at work, against women and girls;**

(b) **Expedite the adoption of the draft law on gender-based violence and the draft strategy to combat gender-based violence;**

(c) **Ensure that allegations of gender-based violence against women, including domestic violence, are effectively investigated and prosecuted, that perpetrators are adequately punished and that victims have access to appropriate redress, including compensation;**

(d) **Allocate sufficient resources to the prevention of gender-based violence against women and girls and establish additional shelters for women who are victims of gender-based violence;**

(e) **Ensure that the revised Criminal Code and Code of Criminal Procedure criminalize marital rape specifically and that the definition of rape includes any non-consensual sexual act.**

28. The Committee is concerned about reports of a large number of cases of sexual violence against women during the conflict in Pool Department between April 2016 and December 2017. The Committee notes the steps that the State party has taken to set up a law clinic and provide legal and psychological support to victims. The Committee is concerned, however, that investigations into the accusations of widespread sexual and gender-based violence have not been carried out.

29. **In line with its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee recommends that the State party investigate allegations of human rights violations by security forces and armed groups, paying particular attention to gender-based violence against women and girls committed during the conflict in Pool Department between April 2016 and December 2017, prosecute alleged perpetrators and, if convicted, punish them with appropriate sanctions and ensure that victims have appropriate redress.**

Trafficking and exploitation of prostitution

30. The Committee is concerned that the State party is a country of origin, transit and destination for trafficking in persons. It is particularly concerned about the following:

(a) The absence of data on the number of victims, investigations, prosecutions and convictions relating to trafficking in persons;

(b) The low rate of prosecutions and convictions and the lack of adequate mechanisms to identify victims of trafficking and to refer them to appropriate services;

(c) The fact that the bill on human trafficking, prepared in 2012 and validated in 2013, has not been adopted;

(d) The fact that, notwithstanding the adoption of Decree No. 2012-171 of 12 March 2012 on the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, the State party has not deposited the instrument of ratification with the Secretary-General.

31. **The Committee draws the attention of the State party to target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, and recommends that the State party:**

(a) **Systematically collect disaggregated data on the number of victims, investigations, prosecutions and convictions relating to trafficking in persons;**

(b) **Investigate, prosecute and adequately punish perpetrators of trafficking in persons, especially women and girls, and provide adequate protection and redress to women and girls who are victims of trafficking;**

(c) **Expedite the adoption of the bill on human trafficking and ensure that it complies with the Convention;**

(d) **Deposit the ratification instrument in order to finalize the ratification process of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.**

32. The Committee notes with concern that poverty continues to compel many women and young girls into prostitution, in particular in the cities of Brazzaville and Pointe-Noire. The Committee is also concerned that there are insufficient exit programmes for women and girls who wish to leave prostitution and that existing programmes are inadequately funded.

33. **The Committee recommends that the State party:**

(a) **Address the root causes of exploitation of women and girls in prostitution by offering educational and alternative income opportunities to at-risk women and girls;**

(b) **Adopt and implement adequately resourced exit programmes for women and girls who wish to leave prostitution.**

Participation in political and public life

34. The Committee welcomes the amendment to the Electoral Act, which raised the quota for women candidates in legislative and local elections from 15 to 30 per cent. It also welcomes the increase in the number of women in ministerial and foreign service positions. The Committee remains concerned, however, that women continue to be underrepresented in decision-making positions in all sectors, including in elected and appointed bodies. The Committee is also concerned about the delay in the adoption of the bill on parity.

35. **In line with its general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party:**

(a) **Amend the Electoral Act to reject any candidate list that does not respect the newly introduced quota of 30 per cent, to adopt the practice of listing a woman on every two ranks of the electoral lists and to apply penalties for non-compliance with the legislation;**

(b) **Implement temporary special measures to ensure gender parity in the appointment of women to decision-making positions in the civil and foreign service and in the judiciary;**

(c) **Expedite the finalization and adoption of the draft law on parity,**

(d) **Increase the availability of training and capacity-building programmes for women wishing to enter political life or hold public office and continue to encourage the media to ensure that women and men who are candidates or elected representatives receive equal visibility, especially during election periods;**

(e) **Raise awareness among politicians, the media, traditional leaders and the general public that the full, equal, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the effective implementation of the Convention, as well as the political stability and economic development of the country.**

Women and peace and security

36. The Committee welcomes the adoption, on 8 May 2018, of a national action plan for the implementation of Security Council resolution 1325 (2000). It is concerned, however, that the State party has not made any budget allocation for its implementation and that the Commission ad hoc mixte paritaire does not include any women.

37. **The Committee recommends that the State party:**

(a) **Establish a road map with a clear time frame, benchmarks and a gender-responsive budget to implement the national action plan and develop indicators for the regular monitoring of its implementation;**

(b) **Ensure gender equality in the composition of the Commission ad hoc mixte paritaire;**

(c) **Fully involve women at all stages of the post-conflict reconstruction process, including in decision-making, in line with resolution 1325 (2000), and take into consideration the full spectrum of the women and peace and security agenda of the Security Council, as reflected in its resolutions 1820 (2008), 1888 (2009), 1889 (2009), 2122 (2013) and 2242 (2015), as well as the Committee's general recommendation No. 30.**

Nationality

38. The Committee welcomes the information provided by the State party that all children born in its territory, including children born to foreign parents, have a right to Congolese nationality. It is concerned, however, that the Nationality Law of the Congo grants men, but not women, the right to transfer their nationality to a foreign spouse. The Committee is also concerned that many births remain unregistered in the State party, in particular in areas with large indigenous populations. The Committee is further concerned that the State party has not acceded to the Convention relating to

the Status of Stateless Persons of 1954 and the Convention on the Reduction of Statelessness of 1961.

39. **The Committee recommends that the State party:**

(a) **Amend the Nationality Law to allow Congolese women to transfer their nationality to their foreign spouses on an equal basis with Congolese men;**

(b) **Intensify its efforts to ensure timely birth registration and issuance of birth certificates, free of charge, throughout its territory, including through awareness-raising campaigns on the importance of birth registration and the use of mobile civil registration units, paying particular attention to indigenous children;**

(c) **Accede to the Convention relating to the Status of Stateless Persons of 1954 and the Convention on the Reduction of Statelessness of 1961.**

Education

40. The Committee welcomes the sectoral education strategy for the period 2015–2025, with progressive sex-specific dropout-reduction strategies and the establishment of literacy centres and back-to-school centres, as well as post-literacy classes. It is concerned, however, about the low enrolment and high dropout rates among girls in secondary school and the low level of enrolment of girls in mathematics and science courses, the poor quality of education and school infrastructure and the high illiteracy rates among girls. The Committee is also concerned that fees for books, uniforms and health insurance prevent children from attending school, in particular children from indigenous communities.

41. **The Committee recommends that the State party:**

(a) **Increase its efforts to ensure the enrolment and retention of girls in school, in particular at the secondary level, paying special attention to indigenous girls;**

(b) **Take measures to increase the enrolment rate of girls in mathematics and science courses, such as the distribution of scholarships to increase their access and incentives to pursue such studies;**

(c) **Construct and improve school infrastructure in rural and remote areas to ensure access for girls to high-quality education, and improve the quality of distance education;**

(d) **Eliminate the indirect costs of schooling and enhance the provision of school feeding programmes and the appropriate sanitary facilities for girls;**

(e) **Strengthen adult literacy programmes, especially for women in rural areas.**

Employment, economic empowerment and economic and social benefits

42. The Committee welcomes initiatives by the State party to train teenage mothers to become self-employed and initiatives for economic empowerment in the Lisungi safety net system project in Likouala Department. It also takes note of measures taken to ensure that women working in the informal sector have access to the National Social Security Fund. The Committee is concerned, however, at the continued low levels of employment of women and at information that 70 per cent of women work in the informal sector, leaving them in most cases outside of the social protection scheme. The Committee is also concerned about the fact that if both partners in a married couple are civil servants, social benefits are paid to the husband only. The Committee is further concerned that the armed conflict in Pool Department and the

current financial crisis have had a severe impact on women, who are the main actors in the informal economy.

43 **The Committee recommends that the State party:**

(a) **Improve access for women to formal employment through measures, including temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25, such as providing incentives for public and private sector employers to recruit women, introducing favourable work arrangements, such as day-care centres, and strengthening professional training for women;**

(b) **Ensure the application of social protection schemes to all women, including those working in the informal sector;**

(c) **Remove all discrimination for married couples, where both partners are civil servants, to ensure that social benefits are paid to the husband and wife equally;**

(d) **Take measures to holistically address problems that are facing women who were victims of the conflict in Pool Department and women employed in the informal economy who have suffered particularly badly from the financial crisis, in order to meet their needs in respect of employment and other basic services.**

Health

44. The Committee notes with appreciation that major obstetric operations, emergency neonatal care and HIV/AIDS testing and treatment, inter alia, are provided free of charge. The Committee welcomes the strategic framework to combat HIV/AIDS and sexually transmitted diseases, developed in 2014, with a specific programme on the mother-to-child transmission of HIV. It is concerned, however, that:

(a) Notwithstanding efforts to decrease geographical differences between urban and rural areas with regard to access to health-care services, including the State party's decision to place basic health care under the responsibility of local authorities, significant discrepancies remain between urban and rural areas;

(b) Abortion is criminalized;

(c) Even though almost all men and women are aware of at least one modern contraceptive method, the use of contraceptives is at only 30 per cent;

(d) Only 26.7 per cent of young women (aged 15–24) have comprehensive knowledge of the means of transmission of HIV infection, compared with 45.3 per cent of men in the same age group.

45. **Bearing in mind that unsafe abortion is a leading cause of maternal mortality and morbidity, the Committee calls upon the State party:**

(a) **To step up its efforts to increase access to health care, in particular in rural areas, by improving the infrastructure and increasing the number of trained medical staff;**

(b) **To legalize abortion, in particular in cases of rape, threats to the life and health of the mother, incest and severe fetal impairment, to decriminalize abortion in all other cases, and to provide women with access to high-quality post-abortion care;**

(c) **To ensure that adolescent girls and boys have access to accurate information about their sexual and reproductive health and rights, including**

responsible sexual behaviour and prevention of early pregnancy and sexually transmitted diseases;

(d) To integrate age-appropriate education on sexual and reproductive health into school curricula, including education on the transmission of HIV.

Rural women

46. The Committee welcomes the adoption of the law on land occupation and acquisition, which prohibits customs and traditions that suppress or restrict women's rights to occupy, acquire or inherit land. It also welcomes the establishment of the observe, reflect, act programme, which is intended to integrate indigenous people into the educational system. The Committee remains concerned, however, about rural women's *de facto* access to land and about access to ancestral lands for indigenous peoples. The Committee is also concerned that the municipal development plans and the land reform may force rural women to change their income-generating activities or be left without land and without proper compensation. The Committee is further concerned that women have been disproportionately affected by the conflict in Pool Department, by the loss of fertile land, income and access to sufficient and clean water and proper housing and by the worsening of health conditions. The Committee is concerned about the high poverty rate among rural women, in particular in Likouala Department, and their limited access to basic services and infrastructure.

47. **In the light of its general recommendation No. 34 (2016) on the rights of rural women, the Committee recommends that the State party:**

(a) Ensure that rural women have access to land on an equal basis with men, including by raising awareness of the law on land occupation and acquisition, of the prohibition of customs and traditions that often suppress or restrict women's rights to occupy or acquire land and of the importance of equal access for women to land as a factor for development and for achieving the substantive equality of women and men;

(b) Ensure that the interests of rural women are protected when developing land policies and allocating land and ensure that the traditional users of land, including indigenous communities, can have access to property and to appropriate reparations and compensation for full recovery of any losses incurred;

(c) Ensure that rural women have access on an equal basis with men and with their urban counterparts to basic services and infrastructure, such as adequate health care, education, public transportation, food, water and sanitation, income-generating opportunities and social protection, in particular in Likouala and Pool Departments,, including through the adoption of temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25.

Disadvantaged groups of women

48. The Committee notes with appreciation the efforts to strengthen widows' rights in the revised Family Code. The Committee welcomes the ratification of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa in 2014 and takes note of the draft asylum law. The Committee is seriously concerned, however, about the following:

(a) Widespread and systematic discrimination and violations of widows' rights in the State party, in particular with regard to the right of inheritance, the practice of levirate marriage and discrimination against widows whose spouses have died owing to HIV/AIDS-related illnesses;

(b) The Family Code has not yet been enacted and there is limited awareness among the population about the proposed changes;

(c) The State party hosts large populations of refugees, asylum seekers and internally displaced persons without providing them with adequate infrastructure, such as shelters, and basic services, including access to health care and education;

(d) The draft asylum law does not contain any provisions relating to internally displaced persons.

49. **The Committee urges the State party:**

(a) **To expedite the enactment of the proposed regulations increasing protection for widows' rights;**

(b) **To carry out awareness-raising programmes to change traditional views about widows, with a view to combating all forms of discrimination and violence against them;**

(c) **To collect disaggregated data on the situation of widows and include such information in its next periodic report;**

(d) **To establish shelters, including through adequate financial support, and to ensure that refugees, asylum seekers and internally displaced persons have access to basic services, such as health care and education;**

(e) **To include provisions relating to internally displaced persons before enacting the draft asylum law.**

Marriage and family relations

50. The Committee appreciates the efforts taken by the State party to thoroughly review outdated and discriminatory legislation. The Committee is concerned, however, that certain discriminatory provisions have been retained in the proposed legislation, in particular with regard to the practice of dowry and polygamy. The Committee is also concerned that 70 per cent of women are married through a customary procedure. It is further concerned that uncertainties remain as to whether the State party has considered its previous recommendations relating to the minimum age of marriage for girls and boys, the choice of residence of the family, the parental authority of the father and the criminalization of adultery (see CEDAW/C/COG/CO/6, para. 44) in composing the draft laws.

51. **The Committee recalls its previous concluding observations, as well as its general recommendation No. 21 (1994) on equality in marriage and family relations, and urges the State party:**

(a) **To ensure that all customary marriages are duly registered before a civil registrar to ensure that women married through a customary procedure enjoy the same rights as women married through a civil procedure;**

(b) **To ensure that all existing discriminatory provisions are eliminated in the revised codes, in particular with regard to the minimum age of marriage for girls and boys, the choice of residence of the family, the parental authority of the father and the disproportionate sanctions for women guilty of adultery, as well as the absence of criminalization of marital rape, as recommended by the Committee in its previous concluding observations (see CEDAW/C/COG/CO/6, para. 44 (a));**

(c) **To reconsider its position on the practices of dowry and polygamy, which the Committee has found to be discriminatory against women;**

(d) **To carry out extensive nationwide training and awareness-raising activities ahead of the entry into force of the new Family Code and related reviewed legislation and ensure that discriminatory practices relating to marriage and family relations are no longer applied.**

Data collection and analysis

52. The Committee welcomes the information on the existence of a National Statistical Institute and that following the introduction of a dedicated hotline, all data on complaints of violence against women will be centralized. It notes with concern, however, the general lack of updated data disaggregated by sex. It reiterates that data disaggregated by sex, age and geographical location are necessary for an accurate assessment of the situation of all women, for the development of informed and targeted policymaking and for the systematic monitoring and evaluation of progress achieved towards the realization of substantive equality between women and men in all areas covered by the Convention.

53. **The Committee recommends that the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, disability, ethnicity, location and socioeconomic status, and the use of measurable indicators to assess trends in the situation of women and progress towards the realization of substantive equality between women and men in all areas covered by the Convention.**

Optional Protocol to the Convention and amendment to article 20 (1) of the Convention

54. **The Committee encourages the State party to ratify, as soon as possible, the Optional Protocol to the Convention and to accept the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

Beijing Declaration and Platform for Action

55. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.**

Dissemination

56. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, Parliament and the judiciary, to enable their full implementation.**

Technical assistance

57. **The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.**

Ratification of other treaties

58. **The Committee notes that the adherence of the State party to the nine major international human rights instruments[1] would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.**

Follow-up to the concluding observations

59. **The Committee regrets the State party's failure to submit information on the measures taken to implement the specific recommendations identified for immediate action in its previous concluding observations and requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 11, 27 (b) and 51 (a) and (c) above.**

Preparation of the next report

60. **The Committee requests the State party to submit its eighth periodic report, which is due in November 2022. The report should be submitted on time and cover the entire period up to the time of its submission.**

61. **The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I).**

[1] The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.